S.B.Civil Writ Petition NO.1917/2005

Ram Nath vs State of Rajasthan & Ors.

DATE OF ORDER : - 7.4.2005

HON'BLE MR. PRAKASH TATIA,J.

Mr. Ranjeet Joshi, for the petitioner.

Mr. S.N. Tiwari, Dy.GA, for the respondent.

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Heard learned counsel for the parties.

According to learned counsel for the petitioner, the name of the petitioner is entered in the jamabandi and is sought to be changed by the revenue authorities on the basis of Government order dated 6th March, 2003 and which is not permissible in view of various judgments delivered by this Court.

Learned counsel for the petitioner also pointed out that the petitioner has already mortgaged the land with SBBJ and that entry is also recorded in jamabandi (Annex.1).

In view of the above, the petitioner has apprehension that his name will be deleted by setting aside the mutation already opened in the name of the petitioner merely because of the Government order dated 6th March, 2003. It is submitted this Court has disposed of several writ petitions and quashed the mutation orders which were passed only

after following the direction as issued in the order of the Government dated 6.3.2003 and this Court directed that no revenue entry be changed without giving opportunity of hearing to the concerned persons whose names are already in the revenue record.

In view of the above, the writ petition of the petitioner is disposed of with a direction to the respondent authorities not to change the entries made in the revenue record in the name of the petitioner without following the procedure of law and without giving full opportunity of hearing to the petitioner.

(Prakash Tatia), J.

s.phophaliya/-